

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

ORDER

Ketan Bhai Amin

Vs. State of Rajasthan.

S.B.CR. MISC. PETITION NO. 1034/2006

DATE OF ORDER

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July 10, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.Pankaj Sharma, for the petitioner.

Mr.Ashok Upadhyaya, P.P.

BY THE COURT:

Heard learned counsel for the petitioner and the Public
Prosecutor for the State.

Learned counsel for the petitioner submits that second
proviso to section 3 of Solvent, Raffinate and Slop (Acquisition,
Sale, Storage and Prevention of Use in Automobiles) Order, 2000
(for short the "Order, 2000" hereinafter) provides that no such
licence shall be required for consumption of 50 Kls per month or
less and storage of 20 Kls or less of solvents listed in the

Schedule combined and, therefore, in view of the second proviso to section 3 of the Order, 2000, it is not required for the petitioner to have licence for the solvent found in the factory of the petitioner.

Learned Public Prosecutor submits that the petition may be disposed of directing the petitioner to approach to the Investigating Officer and to produce the provisions before the Investigating Officer.

Learned counsel for the petitioner submits that though the petitioner has the licence, even otherwise, he is not required to hold the licence.

Be that as it may, the petitioner shall appear before the Investigating Officer and produce the licence and apprise the second proviso to section 3 of the Order, 2000 and the Investigating Officer is directed to investigate the matter in the light of the provisions produced by the petitioner as also the provisions noticed hereinabove and submit the conclusion to the concerned Court.

With these directions, the cr. Misc. petition stands disposed of.

[H.R.PANWAR],J.

m.asif/-